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**PATENT** 

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Brian Evilsizer

Serial No.:

10/789,232

Group Art Unit:

n/a

Filed: -

February 27, 2004

Examiner:

For:

ELONGATED BASEBOARD RACEWAY

Docket:

16-558

Watts Hoffmann Co., L.P.A.

P.O. Box 99839

Cleveland, Ohio 44199-0839

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## **INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Enclosed is a copy of Information Disclosure Statement Citation Form PTO-1449 together with a copy of the documents listed on that form! Applicant respectfully requests that the Examiner consider the listed documents, initial the enclosed Form PTO-1449 to indicate such consideration, and return a copy of the initialed Form PTO-1449 to the applicant.

This Information Disclosure Statement is being submitted pursuant to 37 C.F.R. § 1.97(b).

Pursuant to 37 C.F.R. § 1.97, the submission of the this Information Disclosure Statement shall not be construed to be an admission that the information in this Information Disclosure Statement is, or is considered to be, material to patentablity.

The Commissioner is hereby authorized to charge any required fee under 37 C.F.R. § 1.17

in connection with this communication to our Deposit Account No. 23-0630.

Date: 7/21/04

Respectfully submitted,

Michael A. Miller Reg. No. 50,732

Telephone: (216) 241-6700 Facsimile: (216) 241-8151

PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
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INFORMATION DISCLOSURE

Substitute for form 1449/PTO

Sheet 1

STATEMENT BY APPLICANT
(Use as many sheets as necessary)

of 4

Complete if Known						
Application Number	10/789,232					
Filing Date	February 27, 2004					
First Named Inventor	Brian Evilsizer	_				
Art Unit	n/a					
Examiner Name	n/a					
Attorney Docket Number	16.559	_				

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2 (ff known)</sup> US- 1,812,956	7/7/1931	Howk	rigules Appeal
	ļ	1,612,950		<u> </u>	
	ļ	US- 2,023,004	12/3/1935	Clayton	
		<sup>US-</sup> 2,042,105	5/26/1936	Kelley	_
		<sup>US-</sup> 2,076,558	4/13/1937	Hartman et al	
		<sup>US-</sup> 2,190,196	2/13/1940	Semenyna	
		US- 2,279,383	4/14/1942	Von Gehr	
		<sup>US-</sup> 2,319,375	5/18/1943	Von Gehr	
		<sup>US-</sup> 2,415,602	2/11/1947	Monaco	
		<sup>US-</sup> 2,561,031	7/17/1951	Murphy	
		<sup>US-</sup> 2,579,854	12/25/1951	Perkins	
		<sup>US-</sup> 2,617,849	11/11/1952	Wright et al	
		<sup>US-</sup> 2,669,632	2/16/1954	Hammerly	
		<sup>US-</sup> 2,855,578	10/7/1958	Hirsch	
-		US- 3,081,442	3/12/1963	Platz	
		US- 3,089,042	5/7/1963	Hickey et al	
		US- 3,175,031	3/23/1965	Reiner	
		<sup>US-</sup> 3,262,083	7/19/1966	Gooding	
		<sup>US-</sup> 3,503,032	3/24/1970	Routh et al	
		<sup>US-</sup> 3,529,274	9/15/1970	Routh	

Examiner Cite Initials* No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages		
		Country Code <sup>3</sup> "Number <sup>4</sup> "Kind Code <sup>5</sup> (if known)	MM-DD-YYYY		Or Relevant Figures Appear	Τ'
		UK, 839,347	06-29-1960	Blanchet		V
		WO, 87/01524	03-12-1987	Sinclair		<b>V</b>
		FR, 2,423,898	04-19-1978	Trassinelli		
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Signature	Considered	
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INFORMATION DISCLOSURE
STATEMENT BY APPLICANT
(Use as many sheets as necessary)

Complete if Known

Application Number 10/789,232

Filing Date February 27, 2004

First Named Inventor Brian Evilsizer

Art Unit n/a

Examiner Name n/a

Attorney Docket Number

Sheet 2

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	Cite No.1		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevan	
		Number-Kind Code <sup>2 (fl known)</sup>		Figures Appear		
		<sup>US-</sup> 3,598,900	8/10/1971	Drake		
		<sup>US-</sup> 3,603,918	9/7/1971	Woertz		
		<sup>US-</sup> 3,707,061	12/26/1972	Collette et al		
		<sup>US-</sup> 3,721,762	3/20/1973	Gooding		
		<sup>US-</sup> 3,786,171	1/15/1974	Shira		
		<sup>US-</sup> 3,806,858	4/23/1974	Larsile		
		<sup>US-</sup> 3,855,413	12/17/1974	Baillie		
		<sup>US-</sup> 3,890,459	6/17/1975	Caveney		
_		<sup>US-</sup> 3,996,415	12/7/1976	Provorse		
		<sup>US-</sup> 4,080,766	3/28/1978	Jastrabek		
		<sup>US-</sup> 4,190,309	2/26/1980	Glass		
		<sup>US-</sup> 4,305,430	12/15/1981	Svensson		
		<sup>US-</sup> 4,423,284	12/27/1983	Kaplan		
		<sup>US-</sup> 4,477,694	10/16/1984	Kohaut		
		US- 4,479,687	10/30/1984	Humphreys et al		
		US- 4,508,400	4/2/1985	Herbert		
		<sup>US-</sup> 4,534,147	8/13/1985	Cristell		
		<sup>US-</sup> 4,589,449	5/20/1986	Bramwell		
		<sup>US-</sup> 4,629,826	12/16/1986	Thomas		

	FOREIGN PATENT DOCUMENTS								
Examiner Cite No.1	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages				
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Complete if Known Substitute for form 1449/PTO Application Number 10/789,232 Filing Date February 27, 2004 INFORMATION DISCLOSURE First Named Inventor Brian Evilsizer STATEMENT BY APPLICANT Art Unit n/a (Use as many sheets as necessary) **Examiner Name** n/a Sheet 3 Attorney Docket Number 16-558

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	1			DOCUMENTS	
Examiner Initials*	No.1	Document Number  Number-Kind Code <sup>2 (ff known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	<u> </u>	US- 4,690,474	9/1/1987	Smart et al	3-1-1-1
		<sup>US-</sup> 4,723,580	2/9/1988	Trautwein	
		<sup>US-</sup> 5,001,877	3/26/1991	Edwards	
		<sup>US-</sup> 5,052,937	10/1/1991	Glen	
		<sup>US-</sup> 5,055,067	10/8/1991	Field	
		<sup>US-</sup> 5,089,667	2/18/1992	Goussin et al	
		<sup>US-</sup> 5,096,753	3/17/1992	McCue et al	
		<sup>US-</sup> 5,146,723	9/15/1992	Greenwood et al	
		<sup>US-</sup> 5,183,406	2/2/1993	Glen	
		US- 5,274,972	1/4/1994	Hansen	
		<sup>US-</sup> 5,353,571	10/11/1994	Berdan et al	
		<sup>US-</sup> 5,357,053	10/18/1994	Manaras	
		<sup>US-</sup> 5,433,048	7/18/1995	Strasser	
		US- 5,444,954	8/29/1995	Anderson	
		us- 5,582,520	12/10/1996	Doudon	
		<sup>US-</sup> 5,598,681	2/4/1997	DiGianni	
		<sup>US-</sup> 5,603,621	2/18/1997	Elmouchi	
		<sup>US-</sup> 5,694,726	12/9/1997	Wu	
		<sup>US-</sup> 5,759,051	6/2/1998	Cancellieri et al	

		FORE	<b>GN PATENT DOCU</b>	MENTS		
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	No.¹	Number-Kind Code <sup>2 (if known)</sup>	MM-DD-YYYY	Applicant of Cited Document	Relevant Passages or Relevant Figures Appear
		<sup>US-</sup> 5,901,514	5/11/1999	Wolfe	
		<sup>US-</sup> 5,957,414	9/28/1999	Perrignon de Troyes	
		<sup>US-</sup> 6,021,619	2/8/2000	Mansson	
		<sup>US-</sup> 6,084,180	7/4/2000	DeBartolo, Jr. et al	
		<sup>US-</sup> 6,202,380	3/20/2001	Trutwin et al	
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